



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,053	03/02/2004	Alexander Von Poncet	VONP3001/JEK	9818

23364 7590 04/06/2005

BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314

EXAMINER

THOMPSON, TIMOTHY J

ART UNIT	PAPER NUMBER
----------	--------------

2873

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/790,053

Applicant(s)

VON PONCET ET AL.

Examiner

Timothy J. Thompson

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-7,21 and 22 is/are rejected.
- 7) ☒ Claim(s) 3,4,8-20 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5-7, 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Wun et al.(U.S. Pat. No. 6,181,490).

Regarding claim 1, Wun et al. discloses at least two such light modulators mounted on the frame of the projector(fig 3, 32) , said convergence device(fig 4, 38) having a plate assembly(fig 4, 34, 35) which fixed on said supporting frame and which supports the light modulator to be adjusted, wherein said plate assembly is composed of at least two plate elements, respectively a plate element(fig 4, 34) which is fixed to the supporting frame and a plate element(fig 4, 35) on which the light modulator is fixed, whereby these plate elements are connected to each other by means of at least one elastic joint(fig 4, 36) and whereby at least first self-locking adjusting(fig 4, 35) means are provided for transmitting a force in an adjusting direction between these plate elements in order to adjust the relative position between said plate elements.

Regarding claim 2, Wun et al. discloses wherein each of the adjusting means comprise an actuator bridging the plate elements(fig 4, 33, 35, 341).

Regarding claim 5, Wun et al. discloses the adjusting means are formed by one

Art Unit: 2873

actuator parallel or nearly parallel to the longitudinal or transverse symmetry axis of the light modulator(fig 4).

Regarding claim 6, Wun et al. discloses the actuator is located at a distance from the longitudinal or the transverse symmetry axis of the light modulator (fig 4, 33, 35, 341).

Regarding claim 7, Wun et al. discloses the adjusting means are formed by two actuators parallel or nearly parallel to the longitudinal or transverse symmetry axis of the light modulator and located on both sides of the particular axis and a distance thereof(fig 4, 33, 341).

Regarding claim 22, Wun et al. discloses at least a frame(fig 4, 38), at least two light modulators(fig 4, 32) and at least one adjustable convergence(fig 4, 33, 35, 36) device according to any of the preceding claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wun et al.(U.S. Pat. No. 6,181,490) as applied to claim 1 above, and further in view of Sedlmayr(U.S. Pat. No. 6,791,752).

Regarding claim 21, Wun et al., as detailed in claim rejection 1 above, discloses at least two light modulators(fig 3, 32) and at least one adjustable convergence Device(fig 4, 34, 37) with adjusting means whereby the adjusting means are accessible from the outside of the housing(fig 3, 35). Wun et al. does not specifically disclose the at least two light modulators are pixilated. However, Sedlmayr discloses at least two light modulators are pixilated in a projection system(col 45, lines 50-65). It would have been obvious to one skilled in the art at the time of the invention to used a pixel modulator as shown by Sedlmayr, in the projection system of Wun et al., since as shown by Sedlmayr pixilated light modulators are commonly used in projection systems for adjusting the intensity of the light striking the screen.

Allowable Subject Matter

Claims 3, 4, 8-20, 23 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. With the allowable features being; whereby each adjusting screw of the plunger mechanisms has an elongated part with an extremity protruding from the housing through an hermetically sealed passage in said housing; each of the elastic joints connecting the plate elements are formed by an arm which is pivotably attached at each of its extremities to each of the concerned plate elements; a second self-locking adjusting means for transmitting a force in a second adjusting direction between the intermediate and the second plate elements.

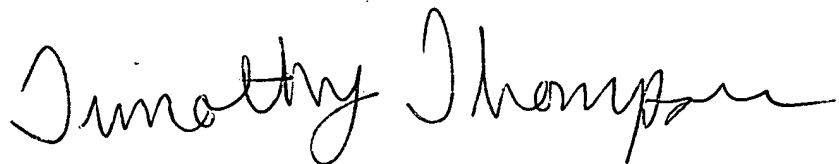
Art Unit: 2873

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Thompson whose telephone number is (571) 272-2342. If the examiner can not be reached his supervisor, Georgia Epps, can be reached on (571) 272-2328.

T.J.T.

4/4/05

A handwritten signature in black ink that reads "Timothy Thompson". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

**TIMOTHY THOMPSON
PRIMARY EXAMINER**